

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

UNITED STATES OF AMERICA

v.

JOSUE CANO-MORALES,

Defendant.

No. 3:24-cr-44

STATEMENT OF FACTS

The United States and the defendant, JOSUE CANO-MORALES (hereinafter, “the defendant”), agree that at trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and credible evidence:

1. On or about January 22, 2024, in the Eastern District of Virginia and elsewhere, defendant, JOSUE CANO-MORALES, did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in such commerce, as those terms are defined in Title 18, United States Code, Section 1951, that is, by unlawfully taking and obtaining property consisting of United States currency and other property belonging to Lucky Mart, from the person of and in the presence of an employee, against the employee’s will by means of actual and threatened force, violence, and fear of injury, immediate and future, to said employee’s person, that is by brandishing a firearm and demanding from the employee money and other property belonging to the business, in violation of Title 18, United States Code, Section 1951.

2. On or about January 22, 2024, in the Eastern District of Virginia, the defendant, JOSUE CANO-MORALES, did knowingly use, carry, and brandish a firearm during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, to

wit: Hobbs Act Robbery, as charged in Count One of this Indictment, which is re-alleged as if fully set forth and incorporated by reference herein, in violation of Title 18, United States Code, Section 924(c)(1)(A).

3. On or about January 22, 2024, in the Eastern District of Virginia and elsewhere, defendant, JOSUE CANO-MORALES, did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in such commerce, as those terms are defined in Title 18, United States Code, Section 1951, that is, by unlawfully taking and obtaining property consisting of United States currency and other property belonging to Smoker's World, from the person of and in the presence of an employee, against the employee's will by means of actual and threatened force, violence, and fear of injury, immediate and future, to said employee's person, that is by brandishing a firearm and demanding from the employee money and other property belonging to the business, in violation of Title 18, United States Code, Section 1951.

4. On January 22, 2024, Henrico County Police officers responded to the Lucky Mart at 8401 Staples Mill Road, Henrico, VA, in reference to a robbery. Mr. S.B., the clerk, stated that a male entered the store and walked around the counter. The suspect presented a silver semi-automatic pistol and demanded U. S. Currency. The suspect took currency from the front counter and demanded more money from the back office. S.B. was forced at gunpoint to go to the back office where the suspect took more money from desk drawers. The suspect was dressed in a gray sweatshirt, black pants, black and white Nike shoes, and a blue bandanna covering his face and a black and white "White Sox" hat on. The suspect also had a black backpack. The suspect stole a Snickers candy bar and then fled the scene on a mountain bike. A citizen that had entered the store during the robbery observed the defendant depart the scene on the mountain bike. The defendant stole approximately \$951.81 in U.S. Currency.

5. On January 22, 2024, shortly after the robbery at the Lucky Mart, A.N., the clerk at Smokers World located at 8125 Staples Mill Road, Henrico, VA, was working at the store when a suspect entered the store holding a backpack in one hand and a silver semi-automatic pistol in the other and demanded U. S. Currency. A.N. gave the suspect currency from the register. The suspect then inquired about what was in the back room. The suspect motioned for her to walk to the rear room and demanded to know what was in the cabinets. The suspect demanded additional currency and A.N. provided currency from the back room. As the suspect walked toward the front of the store, he took several vapes from the display and attempted to flee from the rear of the store. The door, however, was locked. The suspect then left the store through the front door. The defendant stole approximately \$319 in U.S. Currency.

6. While investigating the robbery of the Lucky Mart, Henrico County Police officers observed a mountain bike parked along a wall at a nearby shopping center and began to investigate. While inspecting the mountain bike, a Henrico officer observed a subject leaving the Smokers World located at 8125 Staples Mill Road, Henrico, VA. The subject matched the description of the suspect that had just committed the robbery at the Lucky Mart a short distance away. The suspect immediately fled from the Henrico officer on foot. The suspect was apprehended shortly after in a Lidl parking lot and found to be the defendant.

7. The suspect, now known to be the defendant JOSUE CANO-MORALES, was dressed in a gray sweatshirt, black pants, black and white Nike shoes, and had a blue bandanna covering his face and a black and white "White Sox" hat on. When the defendant was taken into custody, he was still wearing all the same clothing that was verified by victim statements and video footage of the locations. The suspect was apprehended with a black backpack containing a large sum of cash, vape/smoking merchandise, and a silver semi-automatic pistol. The suspect also had

a cellphone and a Snickers candy bar in his possession. The defendant was confirmed to be the suspect in both robberies.

8. At all times material to this Indictment, the Lucky Mart, located at 8401 Staples Mill Rd, Henrico, Virginia, was a commercial entity engaged in the provision of goods and services in interstate and foreign commerce and an industry that affects interstate commerce.

9. At all times material to this Indictment, the Smoker's World, located at 8125 Staples Mill Rd, Henrico, Virginia, was a commercial entity engaged in the provision of goods and services in interstate and foreign commerce and an industry that affects interstate commerce.

10. In each of the aforementioned robberies, the defendant was armed with a semiautomatic pistol, to wit: an SR1911 pistol, .45 caliber, serial number 67327842. He brandished this firearm during and in relation to the robberies.

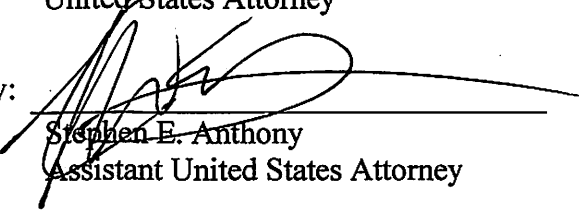
11. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

12. The actions of the defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully Submitted,

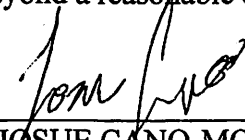
Jessica D. Aber
United States Attorney

By:




Stephen E. Anthony
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, JOSUE CANO-MORALES, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



JOSUE CANO-MORALES

I am Andrew M. Stewart, defendant's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Javionte Johnson
Attorney for Defendant